



Attorney Docket 31601-201282  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Charles GERDAY et al.

Application No.: 10/803,055

Filed: March 18, 2004

For: COLD-ACTIVE BETA GALACTOSIDASE,  
THE PROCESS FOR ITS PREPARATION  
AND THE USE THEREOF

Confirmation No.: 8742

Art Unit: 1652

Examiner: Richard G. Hutson

Atty. Docket No.: 31601-201282

Customer No.

**26694**

PATENT TRADEMARK OFFICE

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

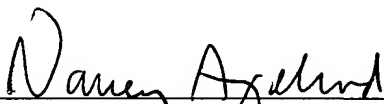
Responsive to the Office Action dated August 31, 2006, Applicants hereby elect Group III, as defined on page 2 of the Office Action (directed to a DNA sequence that encodes a cold-active beta galactosidase). This election is made with traverse, at least because the Examiner has not even alleged that an undue searching burden would be required in examining the full scope of the claims. In short, the requirements for a proper restriction have not been established.

Application No. 10/803,055  
Applicants: Charles GERDAY *et al.*

No fee is belived to be due with this response. However, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 22-0261, referencing 31601-201282.

Respectfully submitted,

Date: October 2, 2006

  
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Nancy J. Axelrod, Ph.D.  
Registration No. 44,014  
VENABLE LLP  
P.O. Box 34385  
Washington, D.C. 20043-9998  
Telephone: (202) 344-4000  
Telefax: (202) 344-8300